

Appln No. 09/619,553

Amdt date January 3, 2006

Reply to Office action of October 25, 2005

REMARKS/ARGUMENTS

The above-identified patent application has been amended and reconsideration and reexamination are hereby requested.

Claims 1 - 22 and 43 - 64 are now in the application. Claims 23 - 42 have previously been cancelled. Claims 1, 3, 4, 10, 12, 14, 15, 21, 43, 45, 46, 52, 54, 56, 57 and 63 are currently amended.

The Examiner has rejected Claims 1 - 22 and 43 - 64 under 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter. The Examiner rejected these claims as having insufficient antecedent basis for limitations found in Claims 1, 3, 4, 10, 12, 14, 15, 21, 43, 45, 46, 52, 54, 56, 57 and 58. The Applicant has amended Claims 1, 3, 4, 10, 12, 14, 15, 21, 43, 45, 46, 52, 54, 56, 57 and 63. With regard to Claim 58, the Examiner refers to a limitation of "a link integrity indication frame" which is not found in Claim 58. The Applicant believes that the Examiner meant to refer to Claim 63 and has therefore amended Claim 63 instead.

In light of the above amendments, the Applicant believes that Claims 1 - 22 and 43 - 64 are not indefinite and satisfy 35 U.S.C. § 112.

The Examiner has also rejected Claims 1 - 22 and 43 - 64 under 35 U.S.C. § 102 as being anticipated by U.S. Patent no. 6,360,260 to Compliment et al. The Examiner has rejected Applicant's argument put forth in Applicant's Amendment mailed September 14, 2004, which stated that Compliment et al. does not disclose a link integrity indication frame which resets the count for each network node. The Examiner noted that since the

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limitation "for each network node" was deleted from the preamble of independent Claims 1, 12, 43 and 54 in Applicant's Amendments mailed May 18, 2005, Applicant's previous argument does not commensurate with the claims anymore.

The Applicant submits that while the Examiner is correct that the preamble "for each network node" was stricken from independent Claims 1, 12, 43 and 54, each of the Claims had also been amended to conclude as follows:

... wherein, when transmitted, the link integrity indication frame *resets the count of the first node and the one or more network nodes.*

See previous Claims 1, 12, 43 and 54 (emphasis added).

As such, each of Claims 1, 12, 43 and 54 still disclosed a link integrity indication frame that reset the count of the first node and the one or more network nodes, i.e., of each network node. However, to avoid any ambiguity, the Applicant has now amended each of Claims 1, 12, 43 and 54 to conclude as follows:

... wherein, when transmitted, the link integrity indication frame resets the count of each of the first node and the one or more network nodes.

See currently amended Claims 1, 12, 43 and 54.

The Applicant submits that, in light of the explanation and amendment above, Claims 1, 12, 43 and 54 are not anticipated by Compliment et al. and the Applicant believes that each of the Claims are allowable. Also, Claims 2 - 11 are dependent on Claim 1 and are therefore believed allowable based on Claim 1.

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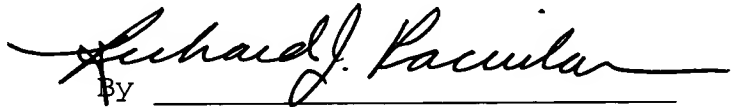
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Claims 13 - 22 are dependent on Claim 12 and are therefore believed allowable based on Claim 12. Claims 44 - 53 are dependent on Claim 43 and are therefore believed allowable based on Claim 43. Claims 55 - 64 are dependent on Claim 54 and are therefore believed allowable based on Claim 54.

Accordingly, in view of the above amendment and remarks, it is submitted that the Claims are patenably distinct over the prior art and that all the objections and rejections to the Claims have been overcome. Reconsideration and reexamination of the above Application is requested.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

A handwritten signature in cursive script, reading "Richard J. Paciulan". The signature is written in dark ink and is positioned above a horizontal line.

By

Richard J. Paciulan

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